IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 18351 of 2004

Between:

1 SRK-PES-J.V. 403, Manasa Apartments, Shamlal Buildings, Begumpet, Hyderabad,
rep by its authorized Lead Partner S.Ravi Kumar
2 M/s. SRK Constructions & Projects Pvt. Ltd., 403, Manasa Apartments, Shamlal Buildings, Begumpet, Hyderabad, rep by its Managing Director, S.Ravi Kumar
3 M/s. PES Engineer Private Limited, 6-3-18/6/2, Uma Nagar, Begumpet, Hyderabad.

..... PETITIONERS

AND

1 The Govt. of Andhra Pradesh, Rep by its Principal Secretary, Irrigation & CAD (PPMU) Department, A.P. Secretariat, Hyderabad.
2 The Engineer-in-Chief (Irrigation) Irrigation & CAD Department, Errum Manzil, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not treating the bid submitted by the petitioner herein as non-responsive and not including the 1st petitioner in the list eligible contractors empanelled and issued in G.O.Rt. No. 727 Irrigation & CAD (PPMU) Department, dated 24-9-2004 as being illegal, arbitrary and in violation of the terms of the bid documents and consequently direct the respondents to include the 1st petitioner in the list of empanelled qualified firms/companies for execution of Government works.

Counsel for the Petitioner:MR.B.ADINARAYANA RAO

Counsel for the Respondent Nos 1and 2: The Advocate General, GP FOR IRRIGATION & COMMAND AREA DEVELOPMENT.

The Court made the following :

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ORDER:

Heard both sides.

Though the matter was heard at length, but however, having regard to the fact that the respondents are going to issue fresh notification, there should not be any impediment to the petitioners to participate therein. In view of the same, it is not necessary to go into the merits of the case.

Accordingly, the Writ Petition is dismissed with a liberty to the petitioners to participate in any fresh notification issued by the respondents. No costs.

02.12.2004

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To

1 The Govt. of Andhra Pradesh, Rep by its Principal Secretary,
Irrigation & CAD (PPMU) Department, A.P. Secretariat, Hyderabad.
2 The Engineer-in-Chief (Irrigation) Irrigation & CAD Department,
Errum Manzil, Hyderabad.

3. 2 CCs to G.P for Irrigation and Command Area Development, High Court Buildings, High Court of A.P., Hyderabad.(OUT)

4. 2 CCs to the Advocate General, High Court of A.P., Hyderabad (OUT)

5. 2CD copies